

REMARKS

Applicant is in receipt of the Office Action mailed April 4, 2005.

A. Claims

Claims 1, 6, 10, 13, 21, 23, 29, 32, 35, 42 and 44 have been amended. Claims 4, 8-9, and 26 have been cancelled. Claims 45-48 have been added. Claims 1-3, 5-7, 10-25, and 27-48 are currently pending.

B. Information Disclosure Statement

The Examiner states that the information on the information disclosure statement filed 10/21/02 "fails to comply with 37 CFR 1.98(a)(2)". Applicant respectfully disagrees. Copies of references A1-A11 for the information disclosure statement were submitted with the information disclosure statement. The other non-patent references on the IDS were submitted in the prior parent case (Application serial number 09/595,003) as stated on the front page of the information disclosure statement transmittal (see the underlined sentence in the first paragraph of the transmittal). Applicant respectfully requests consideration of the references cited on the information disclosure statement filed 10/18/02 (received by the PTO on 10/21/02).

C. 35 U.S.C. §102 Rejections

The Examiner rejected claims 1-13, 15-21, and 23-44 under 35 U.S.C. 102(b) as being clearly anticipated by "Compumotor, Motion Builder Start-Up Guide & Tutorial" (hereinafter "Compumotor"). Applicant respectfully disagrees with these rejections.

Applicant respectfully reminds the Examiner that the standard for "anticipation" is one of fairly strict identity. To anticipate a claim of a patent, a single prior source must contain all the claimed essential elements. *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 231 U.S.P.Q.81, 91 (Fed.Cir. 1986); *In re Donahue*, 766 F.2d 531, 226 U.S.P.Q. 619, 621 (Fed.Cir. 1985).

Compumotor does not disclose, teach, or suggest at least "automatically generating a graphical program implementing the specified sequence of motion control

operations (emphasis added)” as recited in claim 1. Applicant respectfully notes that in Compumotor, the user manually creates an iconic or graphical program or diagram by dragging and dropping icons representing respective functions, and manually linking the icons to specify the relationships between the icons. In other words, the user manually creates what may be considered “graphical source code” for a motion control graphical program. The user/developer then “builds” the program/project to produce executable machine code (specifically, 6000 machine code) for the manually created graphical program. In other words, in Compumotor, the user both *manually* creates the graphical program, and *manually* invokes a build process to generate an executable version. For example, as Compumotor describes in pages 74-87, the user manually drags and drops function icons and other graphical program elements onto a diagram, then manually links the icons together to form a graphical program. In contrast, the system claimed in claim 1 receives user input specifying a sequence of motion control operations and automatically generates a graphical program implementing the specified sequence of motion control operations. Applicant respectfully asserts claim 1 and claims dependent thereon are allowable for at least the above reasons.

Claims 29, 32, 35, 42, and 44 recite, among others, a similar limitation not disclosed, taught, or suggested by Compumotor. Applicant respectfully requests the Examiner withdraw the rejections to claims 1, 29, 32, 35, 42, 44, and claims dependent thereon for at least the above reasons.

D. 35 U.S.C. §103 Rejections

The Examiner rejected claims 14 and 22 under 35 U.S.C. §103(a) as being unpatentable over Compumotor. Applicant respectfully disagrees. Applicant respectfully asserts claims 14 and 22, dependent on patentably distinct claim 1, are allowable for at least the above reasons.

Applicant respectfully requests the Examiner withdraw the rejections to claims 14 and 22.

E. New Claims

The cited art does not disclose, teach, or suggest at least “compiling the graphical program into executable compiled code” as recited in new claim 45 or “wherein receiving user input specifying a sequence of motion control operations comprises the user selecting at least two motion control icons, and wherein the automatically generated graphical program is distinct from the motion control icons” as recited in claim 46. Furthermore, the cited art does not disclose, teach, or suggest at least “wherein the automatically generated graphical program is modifiable by a user without the user having to modify the sequence of motion control operations” as recited in claim 47 or “wherein automatically generating the graphical program includes generating graphical code comprising a plurality of interconnected nodes without direct user input specifying the plurality of interconnected nodes or connections between the nodes” as recited in claim 48. Applicant respectfully asserts new claims 45-48 are allowable for at least the above reasons.

F. CONCLUSION

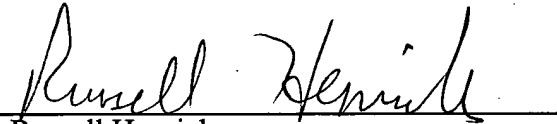
In light of the foregoing amendments and remarks, Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5150-54200/JCH.

Also enclosed herewith are the following items:

- ☒ Request for Continued Examination
- ☒ Return Receipt Postcard

Respectfully submitted,



Russell Henrichs

Reg. No. 50,354

ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel PC
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800
Date: July 5, 2005 JCH/REH